

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF OKLAHOMA**

1. SANDRA CROM

Plaintiff,

v.

- 1. UNITED STATES OF AMERICA,
DEPARTMENT OF HEALTH AND HUMAN
SERVICES d/b/a STIGLER HEALTH
AND WELLNESS CENTER,
2. KELLEY STAFFORD, PA, and
3. KRISTINA JONES, APRN-CNP,**

Defendants.

Case No. 17-CV-478-JHP

COMPLAINT

COMES NOW the Plaintiff, Sandra Crom, by and through her attorney of record, Mark Edwards of The Edwards Law Firm, and for her claims against United States of American, Department of Health and Human Services d/b/a Stigler Health and Wellness Center, Kelly Stafford, PA, and Kristina Jones, APRN-CNP, alleges and states as follows:

I. JURISDICTION

1. This is an action for damages resulting from medical malpractice.
2. Jurisdiction of this Court is founded upon Defendant Stigler Health and Wellness Center, Inc. being a federal entity, specifically a health center program grantee under 42 U.S.C. 254b and deemed a Public Health Service employee under 42 U.S.C. 233 (g) – (n).
3. Venue of this Court is invoked pursuant to 28 U.S.C Section 1391(b)(2) in that the events giving rise to this claim occurred in Stigler, Haskell County, Oklahoma which is within the Eastern District of Oklahoma.
4. Pursuant to the requirements of the Federal Tort Claims Act, Plaintiff filed her Form 95 Notice with the U.S. Department of Health and Human Services on May 8, 2017 and further provided said agency with all requested documents and information.

5. That no response has been received from said agency and the six (6) month waiting period expired on November 8, 2017.

II. PARTIES

6. The Plaintiff in this action is:
 - (a) Sandra Crom – she resides in Eufaula, Haskell County, State of Oklahoma.
7. The Defendants in this action are:
 - (a) United States of America, Department of Health and Human Services, d/b/a Stigler Health and Wellness Center, is a business entity operating in Stigler, Haskell County, State of Oklahoma and covered by the Federal Tort Claims Act, 42 U.S.C. Part 6 (42 CFR Part 6).
 - (b) Kelley Stafford, PA, was, at all times complained of herein, a medical provider operating in Stigler, Haskell County, State of Oklahoma.
 - (c) Kristin Jones, APRN-CNP, was, at all times complained of herein, a medical provider operating in Stigler, Haskell County, State of Oklahoma.

III. FACTS

8. Beginning on or about July 15, 2015, and following, Sandra Crom was seen by Kelley Stafford, PA and Kristina Jones, APRN-CNP, at Stigler Health and Wellness Center. Mrs. Crom was prescribed Metoclopramide, which is known to cause Tardive Dyskinesia if used for an extended period of time.
9. Kelley Stafford, PA and/or Kristina Jones, APRN-CNP treated Mrs. Crom on July 15, 2015, August 26, 2015, and October 29, 2015, during which times Mrs. Crom was continued on her prescription of Metoclopramide.
10. As a result of the prolonged use of said medication, Mrs. Crom developed Tardive Dyskinesia.
11. Plaintiff suffered permanent injury, physical pain and mental suffering (past and future), prolonged medical treatment, medical expenses (past and future), lost wages and impairment to earning capacity due to the negligent care of all Defendants.

IV. NEGLIGENCE – MEDICAL MALPRACTICE

12. Plaintiff hereby incorporates Paragraphs 1 through 11 above.
13. That Defendants owed a duty to Sandra Crom to properly treat and monitor her while being a patient.
14. That Defendants breached their duties of care and failed to meet the appropriate standard of care by prescribing medications to Plaintiff for a prolonged period of time beyond the recommended prescribed time for treatment.
15. As a result of Defendants' failure to meet the appropriate standards of care, Sandra Crom sustained the following injuries: physical and mental pain and suffering (past and future), permanent injury, unnecessary medical expenses (past and future), lost wages, impairment to earning capacity and was otherwise injured, all in excess of \$75,000.00.
16. That Defendant, Stigler Health and Wellness Center, Inc., is vicariously liable for any and all acts and/or omissions of its employees who rendered treatment to Plaintiff, Sandra Crom.
17. Wherefore, Plaintiff prays for any and all damages available to her by law, including but not limited to those listed in paragraphs 11 and 13 above.

WHEREFORE, Plaintiff prays for judgment against the Defendants in an amount in excess of \$75,000.00, her costs, attorney fees, and such other further relief to which she may be entitled.

ATTORNEY AFFIDAVIT

Pursuant to 12 O.S. §19, counsel for Plaintiff hereby attaches the required affidavit stating that he has obtained a written opinion from a qualified expert that clearly identified the Plaintiff and includes the determination of the expert that a reasonable interpretation of the facts supports a finding that the acts and omissions of the Defendants, against whom the action is brought, constituted professional negligence and concludes that the claim is meritorious and based on good cause.

Respectfully Submitted,

THE EDWARDS LAW FIRM

By: //s// Mark L. Edwards

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**ATTORNEY LIEN CLAIMED
JURY TRIAL DEMAND RESERVED**